

wherein the electronic control unit operates the appliance in accordance with the selected one or more first functions based on [controls the operations of the appliance in accordance with] the stored first information and the data supplied by the [selector] selection means or in accordance with the selected one or more second functions based on the stored second information and the data supplied by the external electronic device through the connection means.

### REMARKS

We have carefully considered the Office Action dated September 27, 2001, in which claims 2-16, 18-23 and 25-33 are rejected as being anticipated by United States Patent 5,710,409 to Schwarzbäcker et al. and claim 24 is rejected as obvious over the '409 patent. In response to the Examiner's comments we have amended claim 32 to clarify that the first functions are selected using a selection means (see, Abstract) that corresponds to the knobs, buttons and so forth of the appliance control panel or any device that mimics the knobs, buttons and so forth of the control panel, such as a conventional remote control device. Further, we have amended claims 7, 10, 16, 24 and 28 to correct antecedent basis or claim dependency problems noted by the Examiner.

*No abstract?*

In response to the Examiner's questions concerning the term "status information" recited in claims 9 and 18-19, we point out that the term is referred to on page 13 of the application beginning on line 13. As discussed in the application, the term refers to information about the current operating conditions, or status, of the appliance. The status information is thus not stored in the system as is the first and second information. Further, the "utility functions" recited in claim 16 are the type of functions referred to beginning on page 8, line 27 and continuing on page 9 with specific examples. As

discussed in the application and set forth in the claims, the utility functions are part of a management program, and are thus not part of the first or second functions.

As discussed in previous responses and in the above-referenced patent application, the current appliance control system works with a variety of appliances. Accordingly, we have specified that a given appliance performs both predetermined first functions that are selectable using the knobs, buttons, and so forth of the appliance control panel, and predetermined second functions that are not selectable through the control panel but are selectable only through use of an external electronic device. A given appliance is thus pre-programmed to provide additional functionality, i.e., the second functions, without requiring a corresponding increase in the complexity of the appliance control panel or any associated remote device that mimics the control panel.

The use of the terms first information and first functions, and second information and second functions are consistent throughout the claims and in the application. The appliance has stored within it first information that enables the appliance to perform the first functions in response to a user selecting the first functions and providing the necessary parameters using, for example, the control elements of the control panel. The appliance also has stored within it second information that enables the appliance to perform the second functions in response to a user selecting the second functions and providing the necessary parameters using the external electronic device.

The Examiner has stated that the distinction between first and second functions is not clear “since the control system can receive the same type of input from an external device as it can from a control panel.” However, as stated in the application and the

claims, the distinction is specifically that the second functions require data that must be provided through the external electronic device and specifically *not* through the conventional control panel or an associated device that mimics the control panel. Indeed, an advantage of the current system is that the system provides the additional functionality, i.e., the second functions, without increasing the complexity of the conventional appliance control panel and/or associated remote device that mimics the conventional control panel.

As an example, an oven in the current system includes a conventional control panel that allows a user to select first functions that include timed and/or temperature baking, using the buttons and knobs of the control panel. Further, the oven operates in a more sophisticated manner by allowing the user to select second functions that include designation of an arrangement of heating elements for use during baking. To take advantage of the additional functionality, the user specifies the desired arrangement of heating elements by providing the appropriate parameters to the appliance control system using the external electronic device, as discussed on page 4 of the application. The appliance control system thus offers the user more functionality without requiring the user to operate a more complex appliance control panel and/or program the appliance, as is required by the system described in the '409 patent.

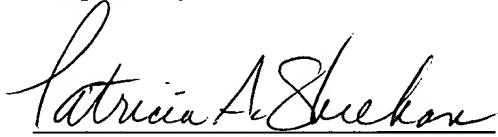
The '409 system requires that a user program the appliance through a hand programming device in order to provide functionality that is not available through the control system of the appliance (see, Column 1, lines 38 et seq.). To provide the additional functionality, the user sets up a new program, stores the program in the

memory of the appliance, and associates the program with a particular code and/or a control element, i.e., button or knob, that can be activated from the control panel (see, Column 2, lines 15 et seq.). Thereafter, the user can then operate the appliance in accordance with the stored program by entering the code and/or activating the associated control element on the control panel.

There is no showing, teaching or suggestion in the '409 patent of an appliance control system that has pre-programmed additional functionality that is accessible through an external electronic device and not accessible through the use of the control panel. Thus, the '409 patent does not show, teach or suggest the system of independent claim 32 and the claims that depend therefrom or the method of independent claim 33 and the claims that depend therefrom.

The claims, as amended, should now be in form for allowance. We respectfully request that the Examiner reconsider his rejections of the claims and issue a Notice of Allowance for all pending claims. Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

  
Patricia A. Sheehan  
Patricia A. Sheehan  
Reg. No. 32,301  
CESARI AND MCKENNA, LLP  
88 Black Falcon Avenue  
Boston, MA 02210-2414  
(617) 951-2500